

DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES
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Memo

DATE July 11, 2001
TO: Opioid Treatment Program Directors
FROM: Samuel R. Segal, LPC, LADC, Senior Clinical Officer and
Addiction Services Policy Director
RE: Waivers

DMHAS Funding Regulations for addiction treatment providers contain the following waiver provision, in section 17-226d-2 (e):

(e) Waiver

- (1) At the request of the applicant or awardee the executive director may issue a written waiver of any of the requirements of sections 17-226d-1 through 17-226d-11 which are not otherwise required by law and for which the Commission has authorized the executive director to grant waivers.*
- (2) The request for a waiver must be in writing and must be signed by the executive director of the applicant or awardee. The waiver may be granted only if accompanied by documentation which demonstrates that the waiver is in the best interest of the applicant or awardee's service recipients.*
- (3) Waivers shall only be issued prospectively.*

Commissioner Kirk has indicated that he is willing to consider waiver requests from opioid treatment providers who wish to implement provisions of the new federal Methadone Regulations which are currently proscribed under DMHAS Funding Regulations, specifically two-week or one-month "take homes" (supplies of methadone for unsupervised use by stable patients). DMHAS will expect to receive a copy of the providers' Diversion Control Plan as well as agency policies and procedures relevant to take home privileges as a part of the waiver requests' required documentation.

I encourage you to fully consider this opportunity for increasing the range of clinical options available to serve the most stable of your patients and enhance the dignity of their recovery process. Please send all OAT waiver requests to me, as I will be organizing the internal review process and preparing recommendations for the Commissioner. Thank you

cc: Commissioners Executive Group
CSH Team Leaders/members